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September 2, 2008

The Honorable Sue L. Robinson
United States District Court
844 King Street
Wilmington, Delaware 19801

VIA ELECTRONIC FILING

Re: *Human Genome Sciences, Inc. v. Genentech, Inc.*,
C.A. No. 08-166-SLR

Dear Judge Robinson:

Plaintiff Human Genome Sciences, Inc. ("HGS") respectfully submits this letter in response to defendant Genentech, Inc.'s ("Genentech") August 26, 2008 letter requesting expedited consideration of its pending motion to dismiss (D.I. 19). HGS notes that there are significant factual and legal distinctions between Genentech's pending motion to dismiss and the motion to dismiss granted in *Human Genome Sciences, Inc. v. Amgen, Inc.*, C.A. No. 07-780-SLR. Accordingly, HGS does not believe that the outcome in that case dictates the result of Genentech's pending motion to dismiss this case. We are available for oral argument on this matter at the Court's convenience.

Respectfully,

/s John G. Day

John G. Day

JGD/nml

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